



"I will stand for my client's rights.
I am a trial lawyer."
—Ron Motley (1944–2013)

28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
o. 843.216.9000 f. 843.216.9450

Temitope O. Leyimu
Licensed in SC
direct: 843.216.9107
tleyimu@motleyrice.com

April 10 2020

VIA ELECTRONIC MAIL

Laura Flahive Wu
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001

RE: Response to March 27, 2020 Letter Request for Complete Custodial and Departmental File Production Dates for Priority Deponents

Dear Laura:

We write this letter in response to your March 27, 2020 letter requesting for Complete Custodial and Departmental File Production Dates for Priority Deponents. As you are aware, we have spent considerable amount of time going back and forth on Defendants proposed list of custodians. These were custodians you chose and we have complied with providing you with any and all documents within the City of Huntington's custody or control.

We will advise on each group of the priority custodians named in departmental groups for ease of reference.

Police Department:

Hank Dial – Chief, Huntington Police Department
Rocky Johnson – Captain, Huntington Police Department
Paul Hunter – Sergeant, Huntington Police Department; Drug and Violent Crimes Task Force

Your letter states you are expecting relevant departmental files for the Huntington Police Department and the Huntington Drug and Violent Crimes Task Force. To the extent Huntington has custody and control of files responsive to your requests they have been produced. Specifically, Huntington has produced the following departmental records:



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Police Department incident reports and arrest records, court dispositions, drug unit investigation files: HUNT_00255023 – HUNT_00270391; HUNT_00286562 – HUNT_00295598; HUNT_00528457 - HUNT_00534791; HUNT_1396330 – HUNT_01398932; HUNT_00131256 – HUNT_00140417; HUNT_00219768 – HUNT_00221876; HUNT_00545696 – HUNT_00564631; HUNT_00726252 – HUNT_00733495

Additionally, departmental records for the police department include a chart of offenses in the files of Scott Lemley from the SunGard system.¹ See HUNT_01515584; HUNT_00639214. Departmental records also include an export from the Zuercher database² in the file of Police Captain Dan Underwood, Administrative Bureau. See HUNT_01516530. Many of the documents produced under the custodial file from Dan Underwood envelop responsive documents from the departmental files of the Huntington Police Department, generally. See: HUNT_00018513 – HUNT_00018657; HUNT_01516531 - HUNT_01516532; HUNT_00658148 – HUNT_00658575; HUNT_00537531 – HUNT_00538403.

To the extent any of these priority deponents or any other police custodians worked on a case, such information would be contained in the hard copy documents or police databases. These departmental files are applicable to any Huntington Police Department custodian. In addition to departmental files, for each custodian Huntington searched any electronic files and hard copy files for documents responsive, and subsequently produced.

Since Huntington's March 23, 2020 letter, Huntington produced documents for Hank Dial, Rocky Johnson and Paul Hunter in Production Volumes 30-34 produced on March 23, 2020, March 25, 2020, March 27, 2020 & March 29, 2020 respectively.

In sum, Huntington has produced:

Hank Dial: HUNT_00249595 – HUNT_00255001, HUNT_00286069 – HUNT_00286561, HUNT_00527242 - HUNT_00528456, HUNT_00542893 - HUNT_00542925, HUNT_00614389 - HUNT_00614397, HUNT_00680605 - HUNT_00690602, HUNT_00811176 - HUNT_00885946, HUNT_01054697 - HUNT_01063659, HUNT_01453826 - HUNT_01455002, HUNT_01515320 - HUNT_01515413

Rocky Johnson: HUNT_00534792 - HUNT_00535117, HUNT_00585012 - HUNT_00600809, HUNT_00611542 - HUNT_00613401, HUNT_00654137 - HUNT_00658147,

¹ SunGard is an antiquated records management system with limited capabilities, utilized by the Huntington Police Department exclusively between 2014 and 2015, before the department migrated to the Zuercher database.

² Zuercher database is the current records management system which has been utilized by Huntington Police Department since December of 2015.



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HUNT_00885954 - HUNT_00886194, HUNT_01003511 - HUNT_01003528,
HUNT_01141950 - HUNT_01213075

Paul Hunter: HUNT_00542934 - HUNT_00545695, HUNT_00614398 - HUNT_00616582,
HUNT_00690603 - HUNT_00707155, HUNT_01063672 - HUNT_01141843,
HUNT_01375990 - HUNT_01376011, HUNT_01455003 - HUNT_01458497,
HUNT_01515414 - HUNT_01515420

Skip Holbrook – Former Chief, Huntington Police Department

Many of the hard copy files and documents in possession of former police Chief Skip Holbrook are now in the custody and control of Chief Hank Dial—these documents were produced with Chief Hank Dial as the named custodian. Accordingly, any electronic files that could be retrieved from Skip Holbrook were searched and produced. See: HUNT_00255002 - HUNT_00255022, HUNT_00885947 - HUNT_00885953, HUNT_00897468 - HUNT_00897873.

Fire Department:

Jan Rader – Chief, Huntington Fire Department

Ray Canafax – Deputy Chief, Huntington Fire Department

Your letter states that Defendants have not received any departmental files from the Huntington Fire Department. Huntington produced departmental documents from the Huntington Fire department from the National Fire Incident Reporting System (“NFIRS”) (HUNT_00270752)³ and Firehouse database (HUNT_00022081 – HUNT_00022099, HUNT_00010319). These were produced under the custodian, Fire Chief Jan Rader.

Additionally, Huntington has produced the following documents from the files of Jan Rader and Ray Canafax:

Jan Rader: HUNT_00009992 - HUNT_00010426, HUNT_00022081 - HUNT_00022099,
HUNT_00226144 - HUNT_00231283, HUNT_00270743 - HUNT_00281171, HUNT_00361025 -
HUNT_00361958, HUNT_00570464 - HUNT_00570487, HUNT_00617717 - HUNT_00617724,
HUNT_01228393 - HUNT_01230687, HUNT_01389184 - HUNT_01389271, HUNT_01473256 -
HUNT_01475050, HUNT_01516249 - HUNT_01516276

³ Upon reviewing, we noticed the NFIRS document may be password protected. The NFIRS database password is JAN.2020. Should Defendants have any issues opening, please advise.



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Ray Canafax: HUNT_00539130 - HUNT_00539742, HUNT_00897948 - HUNT_00897953, HUNT_00936607 - HUNT_00936740

Carl Eastham – Former Chief, Huntington Fire Department

Thus far, Huntington has produced the following for former Chief Carl Eastham: HUNT_00575320 - HUNT_00575573, HUNT_01063660 - HUNT_01063671. Additional documents for former Chief Carl Eastham have been collected and will be produced promptly.

Mayor's Office

Steve Williams – Mayor, Huntington

Kim Wolfe – Former Sheriff, Cabell County Sheriff's Office; Former Mayor, Huntington

Huntington conducted a search of any electronic files and hard copy files for current Mayor Steve Williams. These files are his custodial files and departmental files related to his activities within the Mayor's office. See: HUNT_00022100 - HUNT_00025669, HUNT_00035775 - HUNT_00035863, HUNT_00302516 - HUNT_00304818, HUNT_00365708 - HUNT_00367226, HUNT_00570698 - HUNT_00570703, HUNT_00673632 - HUNT_00676640, HUNT_00707156 - HUNT_00707395, HUNT_00897900 - HUNT_00897947, HUNT_00943499 - HUNT_00943600, HUNT_01005898 - HUNT_01005931, HUNT_01230688 - HUNT_01284727, HUNT_00910582 - HUNT_00910680

If there is anything additional in particular Defendants are looking for, please specify.

Likewise, Huntington conducted a search for any existing and identifiable hard copy files and/or electronic files for former Mayor Kim Wolfe. Subsequently Huntington produced the responsive documents from said files: HUNT_00639181 - HUNT_00639213.

Finance Department

Deron Runyon – Former Huntington Finance Director

Pamela Chandler – Former Huntington Finance Director

Darla Bentley – Former Huntington Budget Director

For these former employees, the City of Huntington searched the files of Deron Runyon, Pamela Chandler and Darla Bentley and subsequently produced responsive documents for these custodians. These files include documents concerning income statements, budget expenses,



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departmental pay, salary wages, summaries of departmental budgets, budget worksheets, grant information, financial statements, reconciliations, proposed budgets, audits etc. These files are part of their custodial files and departmental files related to their activities in budget and finance. If there is anything in particular Defendants are looking for, please specify.

To date, Huntington has produced:

Deron Runyon: HUNT_00617731 - HUNT_00639180, HUNT_00643605 - HUNT_00651891, HUNT_00718855 - HUNT_00726251, HUNT_00909141 - HUNT_00910482

Pamela Chandler: HUNT_00610616 - HUNT_00611541, HUNT_00639216 - HUNT_00642675, HUNT_00900927 - HUNT_00901940

Darla Bentley: HUNT_00175709 - HUNT_00175793, HUNT_00575185 - HUNT_00575319, HUNT_00652816 - HUNT_00654125, HUNT_00898551 - HUNT_00900211

Huntington has substantially completed the production of these documents and intends to continue and fulfill its duty to supplement any responsive documents.

As you have identified these individuals to be your priority deponents, we will begin reaching out to them for available dates. Accordingly, we are happy to discuss any appropriate accommodation to allow for these depositions to move forward.

Thank you,

A handwritten signature in black ink, appearing to read "Tope Leyimu". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tope Leyimu
Counsel for Plaintiff, City of Huntington

cc: Anne Kearse, akearse@motleyrice.com
Paul T. Farrell, Jr., paul@farrell.law